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James R. Trethewey

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EXAMINER

PHAM, HUNG Q

ART UNIT

PAPER NUMBER

2168

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/734,853

Applicant(s)

TRETHERWEY, JAMES R.

Examiner

HUNG Q. PHAM

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2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-23,25-30,32-35,37,42-46 and 48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-23,25-30,32-35,37,42-46 and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

- Applicants' arguments with respect to the rejection of claims 1, 2, 4-23, 25-29, 42-46 and 48 have been considered but are moot in view of the new ground(s) of rejection.

- Applicants' arguments with respect to the rejection of claim 30, 32-35 and 37 have been fully considered but they are not persuasive.

As argued by applicants at pages 14 and 15:

Dietz does not teach or suggest at least the claimed feature of automatically determining location information in response to executing embedded scripting in a web page that is accessed by the system that executes the scripting.

Independent claims 30 and 35 include a similar limitation... claims 32-34 and claim 37 depend from and further limit claims ... 30 and 35, respectively. Thus, claims ... 32-35 and 37 should also be found to be patentably distinguished over Dietz for at least the same reasons.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *at least the claimed feature of automatically determining location information in response to executing embedded scripting in a web page that is accessed by the system that executes the scripting*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the above arguments, dependent claims 32-34 and 37 are unpatentable for at least the same reasons.

Duplicate Claims, Warning

Applicant is advised that should claims 7, 18 and 30 be found allowable, claims 1, 21 and 35 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 4-6, 7, 9-14, 16, 17, 30, 32-35, 37, 42-46 and 48 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1 and 4-6 are directed to a method. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful and tangible result. Specifically, the claimed subject matter does not produce a useful result because the claimed subject matter fails to sufficiently reflect at least one practical utility set forth in the descriptive portion of the specification. More specifically, while the described practical utility (utilities) is (are) directed to a method for providing the location of organization or businesses premises to users such that they can more easily determine a convenient location (Specification, Paragraph 0004), the claimed subject matter relates ONLY to a method of determining a current location of a user, e.g.,

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computer system, via a web page, and submitting the current location to the website associated with the web page. The claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for *submitting information indication the current location*. This produced result remains in the abstract and, thus, fails to achieve the required status of having real world value.

Claims 7 and 9-12 are directed to a method. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful and tangible result. Specifically, the claimed subject matter does not produce a useful result because the claimed subject matter fails to sufficiently reflect at least one practical utility set forth in the descriptive portion of the specification. More specifically, while the described practical utility (utilities) is (are) directed to a method for providing the location of organization or businesses premises to users such that they can more easily determine a convenient location (Specification, Paragraph 0004), the claimed subject matter relates ONLY to a method of determining a current location of a user, e.g., *computer system*, via a web page, and submitting the current location to the website associated with the web page. The claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for *submitting location information associated with the location of the computing system to the web site*. This

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produced result remains in the abstract and, thus, fails to achieve the required status of having real world value.

Claims 13, 14, 16 and 17 are directed to a program. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful and tangible result. Specifically, the claimed subject matter does not produce a useful result because the claimed subject matter fails to sufficiently reflect at least one practical utility set forth in the descriptive portion of the specification. More specifically, while the described practical utility (utilities) is (are) directed to a program for providing the location of organization or businesses premises to users such that they can more easily determine a convenient location (Specification, Paragraph 0004), the claimed subject matter relates ONLY to a method of determining a current location of a user, e.g., *computer system*, via a web page, and submitting the current location to the website associated with the web page. The claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for *automatically determining a location associated with a location of the computing system as a result of executing the scripting*. This produced result remains in the abstract and, thus, fails to achieve the required status of having real world value.

Claims 30 and 32-34 are direct to a method. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful and tangible result. Specifically, the

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claimed subject matter does not produce a useful result because the claimed subject matter fails to sufficiently reflect at least one practical utility set forth in the descriptive portion of the specification. More specifically, while the described practical utility (utilities) is (are) directed to a method for providing the location of organization or businesses premises to users such that they can more easily determine a convenient location (Specification, Paragraph 0004), the claimed subject matter relates ONLY to a method of manipulating web page information. The claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for *accessing the embedded location information using a browser*. This produced result remains in the abstract and, thus, fails to achieve the required status of having real world value.

Claims 35 and 37 direct to a method. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful result. Specifically, the claimed subject matter does not produce a useful result because the claimed subject matter fails to sufficiently reflect at least one practical utility set forth in the descriptive portion of the specification. More specifically, while the described practical utility (utilities) is (are) directed to a method for providing the location of organization or businesses premises to users such that they can more easily determine a convenient location (Specification, Paragraph 0004), the claimed subject matter relates ONLY to a method of manipulating web page information.

Claims 42-46 and 48 direct to a system. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a concrete result. Specifically, the claimed subject matter does not produce a concrete result because the claimed subject matter fails to be limited to the production of an assured, repeatable result. More specifically, the claimed subject matter is not repeatable because if the system is not *running location-enhanced browser capable of accessing the bedded location information, the embedded location information* is not displayed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As in claim 21, the location information is provided to the computer system (Lines 3) that sends the query (Line 2). However, as further recited at Lines 3-6, the location information is responsive to embedded scripting in a web page access by the computer system, and the script causes the computer system to determine location information. It is unclear what command: the query or the script, that causes the step providing the location.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 4-20 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Madison [US 2002/0023123 A1] and Flanagan [JavaScript: The Definitive Guide, 4th Edition].

Regarding claim 1, Madison teaches a method comprising:

accessing a first web page using a computing system (As disclosed by Madison at Paragraphs 0003 (Lines 6-9) and 0031 (Lines 3-5), a web site is composed of individual electronic documents as web pages, and a commercial web site is *accessed* by a client browser from the client computer as *a computing system*. Thus, by accessing the web site, a web page, e.g., home page, as *a first web page* that corresponds to the commercial web site is accessed);

automatically determining a current location of the computing system (Madison, Paragraph 0032 Lines 13-16);

executing embedded scripting associated with the first web page, the embedded scripting to control, at least in part, automatically determining the current location (Madison Paragraph 0032, a cookie associated with the web site is used to *automatically determine* zip code, city, state... as *the current location*. As disclosed by Flanagan, a cookie is a small amount of named data and associated with a particular web page or web site (Flanagan, 16.1. An Overview of Cookies). A cookie is manipulated by JavaScript (16.3 Reading Cookies). With respect to the teaching of Flanagan, a

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cookie is *embedded scripting associated with the first web page*, e.g., the home page. The cookie is executed for obtaining ISP name and area code to determine location of the client computer. In different words, the purpose of cookie is *to control, at least in part, automatically determining the current location*, e.g., zip code, city, state... Thus, this claimed limitation is an inherited feature of a cookie as disclosed by Madison); and

automatically submitting information indicating the current location of the computing system to a web site associated with the first web page (Madison, Paragraph 0032 Lines 21-28).

Regarding claims 7 and 13, Madison teaches a method comprising:

accessing a web site associated with location-based services using a computing system (As disclosed by Madison 0031 (Lines 3-5), a web site is *accessed* by a client browser from the client computer as *a computing system*. As further disclosed by Madison at Paragraphs 0016 (Lines 2-5), a web site may provide localized products or services. Thus, the web site as taught is *a web site associated with location-based services*);

displaying a first web page associated with the web site (As disclosed by Madison at Paragraphs 0003 (Lines 6-9), a web site is composed of individual electronic documents as web pages. Thus, by accessing the web site as discussed above, a web page, e.g., home page, as *a first web page* that corresponds to the commercial web site is displayed¹),

the first web page including embedded scripting (Madison Paragraph 0032, a cookie associated with the web site is used to determine the location of the client computer, e.g., zip code, city, state.... As disclosed by Flanagan, a cookie is a small amount of named data and associated with a particular web page or web site (Flanagan, 16.1. An Overview of Cookies). A cookie is manipulated by JavaScript (16.3 Reading Cookies).

¹ The claimed limitation *displaying a first web page associated with the web site* is implied in the teaching of accessing a web site of Madison at paragraph 0031.

With respect to the teaching of Flanagan, a cookie is *embedded scripting included in the first web page*, e.g., the home page, and this claimed limitation is an inherited feature of a cookie as disclosed by Madison);

automatically determining a location of the computing system using at least the scripting (Madison Paragraph 0032, the cookie associated with the web site is used to *automatically determine* zip code, city, state... of the client computer as *the current location of the computer system*); and *submitting location information associated with the location of the computing system to the web site* (Madison, Paragraph 0032 Lines 21-28).

Regarding claim 18, Madison teaches a method comprising:

providing a first web page including embedded scripting in response to an access to an associated web site by a computing system (As disclosed by Madison at Paragraphs 0003 (Lines 6-9) and 0031 (Lines 3-5), a web site is composed of individual electronic documents as web pages, and a commercial *web site is accessed* by a client browser from the client computer as *a computing system*. Thus, by accessing the web site, a web page, e.g., home page, as *a first web page* that corresponds to the commercial web site is *provided*. As further disclosed by Madison at Paragraph 0032, a cookie associated with the web site is used to determine the location of the client computer, e.g., zip code, city, state.... As disclosed by Flanagan, a cookie is a small amount of named data and associated with a particular web page or web site (Flanagan, 16.1. An Overview of Cookies). A cookie is manipulated by JavaScript (16.3 Reading Cookies). With respect to the teaching of Flanagan, a cookie is *embedded scripting included in the first web page*, e.g., the home page, and this claimed limitation is an inherited feature of a cookie as disclosed by Madison),

the embedded scripting to cause the computing system to automatically determine and provide location information (Madison Paragraph 0032, the cookie associated with the web site is

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used to *automatically determine and provide* zip code, city, state... of the client computer as *the current location of the computer system*); and *providing a second web page in response to receiving the location information, the second web page including locale-specific content* (Madison, Paragraph 0032 (Lines 21-25) and 0016).

Regarding claim 2, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 1, Madison further discloses the step of *displaying a second web page associated with the web site, the second web page including locale-specific content associated with the current location of the computing system* (Paragraph 0032 (Lines 21-25) and 0016).

Regarding claim 4, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 1, Flanagan further discloses *executing the embedded scripting includes using plug-in code to assist with automatically determining the current location* (Flanagan, 16.4 Cookie Example).

Regarding claim 5, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 1, Madison further discloses the step of *automatically submitting the information indicating the current location* (Madison, Paragraph 0032)

Regarding claim 6, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 1, Madison further discloses the step of *automatically determining the information to be submitted according to the embedded scripting* (Madison, Paragraph 0032).

Regarding claim 8, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 7, Madison further discloses the step of *displaying a second web page including locale-specific content in response to submitting the location information* (Madison, Paragraph 0032 (Lines 21-25) and 0016).

Regarding claim 9, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 7, Madison further discloses the step of *automatically determining at least one of a city, a state, a country, a zip code, and a street* (Madison, Paragraph 0032).

Regarding claim 10, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 9, Madison further discloses the step of *accessing previously stored location information* (Madison, Page 5, Claim 1, second limitation).

Regarding claim 11, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 9, Madison further discloses the step of *accessing a network to determine the location of the computing system* (Madison, Paragraph 0032).

Regarding claim 12, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 11, Madison further discloses *accessing a network includes one of passively snooping the network to determine the location* (Madison, Paragraph 0032, cookie is considered as *passively snooping the network to determine the location*) and *accessing a database including location information to determine the location* (Madison, Page 5, Claim 1, second limitation).

Regarding claim 14, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 13, Madison further discloses the step of *provide the determined location information to a web site associated with the first web page* (Madison, Paragraph 0032 Lines 21-28).

Regarding claim 15, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 14, Madison further discloses the step of *display a second web page associated with the web site, the second web page including location-specific content responsive to receiving the location information* (Paragraph 0032 (Lines 21-25) and 0016).

Regarding claim 16, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 13, Flanagan further discloses the step of *using an embedded plug-in* (Flanagan, 16.4 Cookie Example).

Regarding claim 17, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 13, Madison further discloses *automatically determining the location information includes one of accessing previously stored location information, passively snooping a network to determine the location information and accessing a service infrastructure to determine the location information* (Madison, Paragraph 0032).

Regarding claim 19, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 18, Flanagan further discloses the step of *providing the first web page further includes including one of an embedded plug-in and a call to a plug-in* (Flanagan, 16.4 Cookie Example).

Regarding claim 20, Madison and Flanagan, in combination, teach all of the claimed subject matter as discussed above with respect to claim 18, Madison further discloses the step of *causing the computing system to automatically determine and provide at least one of a city, a state, a zip code, a country, a latitude, a longitude, a telephone number, and a street address* (Madison Paragraph 0032).

Claims 21-23 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Feinberg [US 2001/0053999 A1] and Netscape [Persistent Client State HTTP Cookies].

Regarding claim 21, Feinberg teaches a method comprising:

receiving a query from a computing system for location information (As in Paragraph 0014, the satellites *receive query* from the GPA receiver of user computer 60 as *a computing system* for longitude and latitude as *location information*); and

providing the location information to the computing system (Paragraph 0014, the *location information*, e.g., longitude and latitude, is provided to the user computer),

the location information being responsive to embedded scripting in a web page accessed by the computing system (A page is downloaded from the web browser of user computer (Paragraph 0020). The longitude and latitude is written to the cookie (Paragraph 0014). Upon receipt of the web page, the cookie is queried (Paragraph 0021). Thus, in response to a cookie of the requested web page from the user computer as *embedded scripting in a web page accessed by the computing system*, the *location information*, e.g., longitude and latitude, is written to the cookie),

the embedded scripting to cause the computing system to automatically determine location information indicated by the scripting (A cookie is sent to a client as part of an HTTP

response². As disclosed at Paragraph 0014, latitude and longitude is stored in the cookie. Thus, with the present of a cookie, the longitude and latitude is determined and written to the cookie. In different words, the purpose of the cookie is to *cause the computing system to automatically determine location information indicated by the scripting*).

Regarding claim 22, Feinberg teaches all of the claimed subject matter as discussed above with respect to claim 21, Feinberg further discloses the step of *providing at least one of a city, a state, a zip code, a country, a latitude, a longitude, a telephone number and a street address* (Paragraph 0014).

Regarding claim 23, Feinberg teaches all of the claimed subject matter as discussed above with respect to claim 22, Feinberg further discloses *providing the location information is further responsive to a plug-in* (Paragraph 0014, cookie is a plug-in).

Claims 30, 32-35, 37, 42-45 and 48 are rejected under 35 U.S.C. 102(b) as anticipated by Dietz [US 2004/0102197].

Regarding claim 30, Dietz teaches a method comprising:

receiving a web page with embedded location information (Paragraph 0010 Lines 12-18, a page with embedded location information is served to a browser that requested the page), *the embedded location information being at least partially in the form of Extensible Markup Language (XML) islands* (Paragraph 0027 Lines 24-30); and

accessing the embedded location information using a browser (Paragraph 0010-Line 4, the client browser that requested the page receives the requested page).

² Persistent Client State HTTP Cookies (Introduction).

Regarding claim 32, Dietz teaches all the claim subject matters as discussed above with respect to claim 30, Dietz further discloses the step of *accessing the embedded location information using a location-enhanced browser, the location-enhanced browser to provide a location tool to navigate the embedded location information* (Paragraph 0010-Line 4).

Regarding claim 33, Dietz teaches all the claim subject matters as discussed above with respect to claim 32, Dietz further discloses the step of *accessing one of address information and driving directions associated with business locations* (Paragraph 0010-Lines 8-10).

Regarding claim 34, Dietz teaches all the claim subject matters as discussed above with respect to claim 30, Dietz further discloses the step of *determining a current location of the computing system* (Paragraph 0010-Lines 5-12); and *using a location property associated with the current location to filter the embedded location information* (Paragraph 0025-Lines 21-26).

Regarding claim 35, Dietz teaches a method comprising:
receiving a web page access from a computing system (Paragraph 0010-Lines 3-4); and
providing a web page with embedded location information to be displayed by the computing system (Paragraph 0010-Lines 12-18, a page with embedded location information is served to a browser that requested the page), *the location information to be embedded using XML islands* (Paragraph 0027-Lines 24-30).

Regarding claim 37, Dietz teaches all the claim subject matters as discussed above with respect to claim 35, Dietz further discloses the step of *providing embedded location information*

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indicating business location associated with a business indicated by the web page (Paragraph 0022-Lines 8-10).

Regarding claim 42, Dietz teaches a system comprising:

a bus (Paragraph 0019, a bus is inherent in devices such as notebook computers and PDA computers);

a processor including an execution unit coupled to the bus, the processor to execute instructions (Paragraph 0019, a processor is inherent in devices such as notebook computers and PDA computers);

an antenna coupled to the bus to provide for wireless communications (Paragraph 0019, an antenna coupled to a bus is inherent in wireless PDA); and

a memory to store information that, when executed by the processor (Paragraph 0036), causes the system to

access a first web page including embedded location information (Paragraph 0010 Lines 12-18, a page with embedded location information is served to a browser that requested the page), *the embedded location information being in the form of Extensible Markup Language (XML) islands* (Paragraph 0027-Lines 24-30); and

display the embedded location information if the system is running a location-enhanced browser capable of accessing the embedded location information (Paragraph 0010-Line 4 and Paragraph 0023).

Regarding claim 43, Dietz teaches all the claim subject matters as discussed above with respect to claim 42, Dietz further discloses *the memory is a mass storage device including one of a hard disk, a network-accessible hard disk, an optical disk, and a compact disc* (Paragraph 0036).

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Regarding claim 44, Dietz teaches all the claim subject matters as discussed above with respect to claim 42, Dietz further discloses the claimed limitation *determine a location of the system* (Paragraph 0010-Lines 5-12), and *use a location property associated with the location of the system to provide a custom view of the embedded location information* (Paragraph 0025-Lines 11-16).

Regarding claim 45, Dietz teaches all the claim subject matters as discussed above with respect to claim 44, Dietz further discloses the claimed limitation *determining a location of the system includes accessing a network via the antenna* (Paragraph 0029).

Regarding claim 48, Dietz teaches all the claim subject matters as discussed above with respect to claim 42, Dietz further discloses *if a location-enhanced browser is not available, the web page displays without the embedded location information* (Paragraph 0025-Lines 12-18).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madison [US 2002/0023123 A1] and Flanagan [JavaScript: The Definitive Guide, 4th Edition] and Liao [USP 6,544,075 B1].

Regarding claim 25, Madison teaches a system comprising:

a bus; a processor including an execution unit coupled to the bus, the processor to execute instructions; a memory to store information that, when executed by the processor, causes the system to (Madison, Paragraphs 0021 and 0022)

access a first web page including embedded scripting (As disclosed by Madison 0031 (Lines 3-5), a web site is access by a client browser from the client computer. As further disclosed by Madison at Paragraph 0032, a cookie associated with the web site is used to determine the location of the client computer, e.g., zip code, city, state.... As disclosed by Flanagan, a cookie is a small amount of named data and associated with a particular web page or web site (Flanagan, 16.1. An Overview of Cookies). A cookie is manipulated by JavaScript (16.3 Reading Cookies). With respect to the teaching of Flanagan, a cookie is *embedded scripting*, and this claimed limitation is an inherited feature of a cookie as disclosed by Madison),

automatically determine location information associated with a location of the system in response to executing the scripting (Madison Paragraph 0032, the cookie associated with the web site is used to *automatically determine* zip code, city, state... of the client computer as *the location information associated with a location of the system*), and

display a second web page including locale-specific information in response to determining the location of the system (Madison, Paragraph 0032 (Lines 21-25) and 0016).

The missing of Madison is *an antenna coupled to the bus to provide for wireless communications*.

Liao teaches a wireless adapter as for wireless communications (Liao, FIG. 2).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to include a wireless adapter in the computer of Madison in order to provide wireless access to the Internet.

Regarding claim 26, Madison, Flanagan and Liao, in combination, teach all of the claimed subject matter as discussed above with respect to claim 25, Madison further discloses *a*

location provider, and a location fuser, the location provider and location fuser to assist in determining the location of the system (Madison, Paragraph 0032).

Regarding claim 27, Madison, Flanagan and Liao, in combination, teach all of the claimed subject matter as discussed above with respect to claim 26, Madison further discloses the step of *accessing a service infrastructure in cooperation with the location provider and interpreting information received from the service infrastructure to determine the location information* (Madison, Paragraph 0032).

Regarding claim 28, Madison, Flanagan and Liao, in combination, teach all of the claimed subject matter as discussed above with respect to claim 25, Madison further discloses *the memory is a mass storage device* (Madison, Paragraph 0025).

Regarding claim 29, Madison, Flanagan and Liao, in combination, teach all of the claimed subject matter as discussed above with respect to claim 25, Madison further discloses *automatically determining includes one of passively snooping a network, accessing previously stored location information and accessing location information over a network* (Madison, Paragraph 0032).

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz [US 2004/0102197] in view of Yahoo! Map [http://web.archive.org/web/20020912031420/maps.yahoo.com/].

Regarding claim 46, Dietz teaches all the claim subject matters as discussed above with respect to claim 42, but does not teach *the memory further stores information that, when accessed by a processor, causes the system to display a location tool bar to navigate the location information.*

Yahoo! Map is a tool for navigating location information and this page could be saved as Favorite Page.


Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to using Yahoo! Map as a tool for navigate the location.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM T. VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


HUNG Q. PHAM
Examiner
Art Unit 2168

December 30, 2006